

347—218.111(91D) Nonexempt work generally.

218.111(1) “Nonexempt work” includes all work other than that described in 218.1(1) to 218.1(4) and the activities directly and closely related to that work.

218.111(2) Nonexempt work is easily identifiable where, as in the usual case, it consists of work of the same nature as that performed by the nonexempt subordinates of the “executive.” It is more difficult to identify in cases where supervisory employees spend a significant amount of time in activities not performed by any of their subordinates and not consisting of actual supervision and management. In those cases careful analysis of the employee’s duties with reference to the phrase “directly and closely related to the performance of the work described” will usually be necessary in arriving at a determination.

SOURCE: 29 CFR 541.111.